

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Criminal No. 12-73 (JLL)

v.

JOSEPH BELASCO,

PROTECTIVE ORDER ON CONSENT

Defendant

THIS APPLICATION having been opened to the Court by the United States Attorney (V. Grady O'Malley, Senior Litigation Counsel, appearing) under Rule 16(d)(1) of the Federal Rules of Criminal Procedure for a Protective Order limiting the disclosure of certain contractual documents which the Government received from Pepsi Bottling Group ("PBG"); and it appearing that PBG has informed the Government that the documents contain information which PBG considers to be confidential and/or proprietary; and it further appearing that, as part of their discovery obligation, the Government will make the documents available to counsel for Defendant Joseph Belasco (John A. Azzarello, Esq. and David W. Fassett, Esq., appearing); and the Court, having the consent of the parties, and for good cause shown,

IT IS on this 29th day of May, 2012;

ORDERED that:

1. Before producing to the Defendant any documents containing information which PBG considers to be confidential and/or proprietary, the Government shall mark those documents "SUBJECT TO PROTECTIVE ORDER" ("the Protected PBG Documents");

2. The Protected PBG Documents shall not be disclosed to anyone other than the Defendant, the Defendant's counsel, and any agent working at the direction of the Defendant's counsel in this matter;
3. The Protected PBG Documents and information contained therein may be used only in the preparation of the defense in this case, and notwithstanding the provisions of Paragraph 1, the defense shall be permitted to review, with prospective witnesses and their counsel, the Protected PBG Documents to the extent necessary to prepare the defense; and
4. If there is a need prior to trial or during trial to disclose the Protected PBG Documents or information contained therein beyond that permitted by this Protective Order, the Defendant may make an application to the Court, upon notice to the Government, requesting authorization.



Honorable Jose L. Linares, U.S.D.J.